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**FOR IMMEDIATE RELEASE**

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**NDA DIRECTOR OFFERS UPDATED COMMENTS, CLARITY TO FARMERS IN LIGHT OF RECENT COURT RULING ON DICAMBA AND EPA GUIDANCE**

LINCOLN—On June 8, the U.S. Environmental Protection Agency (EPA) issued a key order providing needed clarity following the Ninth Circuit Court of Appeals' June 3, 2020, ruling concerning three herbicides.

“I’m grateful the EPA recognized the hardship placed on our farmers and issued an order allowing them to use existing products under certain circumstances to finish out the 2020 growing season,” said Nebraska Department of Agriculture (NDA) Director Steve Wellman. “Although the EPA has not taken any further action in the 9th Circuit case, it did issue a final cancellation order for Xtendimax, Engenia and FeXapan at a critical time of crop growth.”

The EPA’s order addresses the sale, distribution and use of existing stocks of XtendiMax, Engenia and FeXapan, and provides that:

1. Commercial applicators may distribute or sell existing stocks of products that were already in their possession on June 3, 2020, for the purpose of facilitating use no later than July 31, 2020. Use of the products must be in accordance with the previously-approved labeling accompanying the product and any use of the products is prohibited after July 31, 2020.
2. Otherwise, distribution or sale by any person is generally prohibited except for ensuring proper disposal or return to the registrant, except as otherwise listed in the Order.

“The Nebraska Department of Agriculture will enforce the sales and applications of these products according to this EPA order,” said Director Steve Wellman.

The federal guidance provided by EPA supersedes NDA’s statement issued on June 6, 2020.

More details about the EPA’s regulatory guidance can be found at [epa.gov](https://www.epa.gov/ingredients-used-pesticide-products/final-cancellation-order-three-dicamba-products) or <https://www.epa.gov/ingredients-used-pesticide-products/final-cancellation-order-three-dicamba-products>.

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